

Message Text

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PAGE 01 PANAMA 04652 011943Z

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ACTION SCSE-00

INFO OCT-01 ARA-10 ISO-00 L-03 EB-07 CG-00 DOTE-00 /021 W

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R 011650Z JUL 75

FM AMEMBASSY PANAMA

TO SECSTATE WASHDC 4698

AMEMBASSY MEXICO

AMEMBASSY MANAGUA

INFO PAN CANAL

UNCLAS PANAMA 4652

EO 11652: N/A

TAGS: PN, PQ, CGEN

SUBJECT: YACHT - SEA WOLF

MEXICO FOR LEGAL ATTACHE

NICARAGUA FOR DCM

1. MR. JOHN O'TOOLE CALLED AT ECONOMIC SECTION TO DISCUSS HIS PROBLEMS CONCERNING OWNERSHIP OF "SEA WOLF", FORMER PROPERTY OF A. J. LEFFERDINK. O'TOOLE STATED THAT LEGAL ATTACHE MEXICO AND DCM NICARAGUA ARE FAMILIAR WITH THE CASE. YACHT WAS SAILED FROM ACAPULCO TO NICARAGUA (O'TOOLE SIGNED ON AS CREW MEMBER) WHERE BOAT WAS SEIZED BY AUTHORITIES, O'TOOLE ARRESTED, AND LATER RELEASED THRU EFFORTS OF BRITISH EMBASSY. SEIZURE TOOK PLACE BECAUSE OF DISPUTED OWNERSHIP BETWEEN O'TOOLE AND MIAMI-BASED GENERAL ELECTRIC FINANCIAL CORPORATION.

2. O'TOOLE SAID SHIP WAS RELEASED AFTER INTERVENTION OF AMERICAN EMBASSY WITH NICARAGUAN GOVERNMENT FOLLOWING AGREEMENT BETWEEN O'TOOLE AND G.E. REPRESENTATIVES THAT YACHT WOULD BE SAILED TO U.S. CANAL ZONE JURISDICTION WHERE OWNERSHIP WOULD BE DECIDED BY COURT. ACCORDING TO O'TOOLE, G.E. REPRESENTATIVES TRIED TO SNEAK SHIP THRU CANAL IN VIOLATION OF AGREEMENT. YACHT IS PRESENTLY BEING HELD BY U.S. MARSHALL, CANAL ZONE.

FOR NICARAGUA: O'TOOLE HAS REQUESTED SUBSTANTIATION BY EMBASSY OF AGREEMENT BETWEEN DISPUTING PARTIES TO TAKE SHIP TO CANAL ZONE.

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PAGE 02 PANAMA 04652 011943Z

PLEASE SHED WHATEVER LIGHT YOU CAN ON THIS MATTER. O'TOOLE MAY

WISH THIS EVIDENCE FOR COURT HEARING.

3. FOR MEXICO AND DEPARTMENT: O'TOOLE GAVE EMBOFF COPY OF LETTER FROM CALIFORNIA STATE BOARD OF EQUALIZATION, OCCASIONAL SALES TAX UNIT, ADDRESSED TO LEFFERDINK, ASKING FOR DOCUMENTATION AS TO THE SHIPS LOCATION, AND A COPY OF THE PANAMA REGISTRATION DATED APRIL 30, 1975, WHICH SHOWS O'TOOLE AS SOLE OWNER. PANAMA'S DIRECTOR OF CONSULAR AND SHIPPING AFFAIRS, LATER VERIFIED THIS AS TRUE COPY. O'TOOLE HAS REQUESTED THAT COAST GUARD IN LONG BEACH BE ADVISED TO VERIFY THE OWNERSHIP OF SEA WOLF WITH CALIFORNIA STATE AUTHORITIES. HE IS CONCERNED THAT A CURSORY CHECK ON OWNERSHIP WITH COAST GUARD WOULD SHOW LEFFERDINK AS REGISTERED OWNER ON THEIR RECORDS AND NOT REVEAL THAT THE STATE REGISTRATION IS QUESTIONABLE.

4. DIRECTOR OF CONSULAR AND SHIPPING AFFAIRS TOLD EMBOFF THAT A FOREIGN OFFICE NOTE WAS BEING PREPARED REQUESTING THE EMBASSY'S HELP TO DETERMINE WHETHER THE SEA WOLF IS REGISTERED IN CALIFORNIA. ACCORDINGLY THE DEPARTMENT IS REQUESTED TO INVESTIGATE THE MATTER WITH THE STATE OF CALIFORNIA, THE COAST GUARD IN LONG BEACH, AND WITH THE DEPARTMENT OF JUSTICE WHICH HAS AN INTEREST IN THE MATTER. PLEASE ADVISE WHAT FURTHER ACTIONS WOULD BE APPROPRIATE.

JORDEN

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 01 JUL 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Authority: n/a
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01 JAN 1960
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975PANAMA04652
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750267-0185
From: PANAMA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750795/aaaadhfg.tel
Line Count: 85
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION SCSE
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: ShawDG
Review Comment: n/a
Review Content Flags:
Review Date: 07 FEB 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <07 FEB 2003 by WilliaRL>; APPROVED <17 MAR 2004 by ShawDG>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: YACHT - SEA WOLF MEXICO FOR LEGAL ATTACHE
TAGS: CGEN, PN, PQ
To: STATE MANAGUA
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006